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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 17 June 2015 from the Permanent Mission of Sri Lanka to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations in New York presents its compliments to the secretariat of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to forward herewith the second national report of Sri Lanka to the Committee, containing additions and updates to information in our first report, submitted in May 2005, and in a follow-up to that report, submitted in December 2005.

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Annex to the note verbale dated 17 June 2015 from the Permanent Mission of Sri Lanka to the United Nations addressed to the Chair of the Committee

Second national report of Sri Lanka to the Security Council Committee established pursuant to resolution 1540 (2004)

Sri Lanka submitted its first national report in May 2005 (S/AC 44/2004/(02)/118) and an update was submitted in December 2005 (S/AC 44/2004/(02)/118/Add.1). The present report contains additional and updated information on measures taken by Sri Lanka to implement resolution 1540 (2004).

The Government of Sri Lanka has steadfastly and consistently supported global initiatives to prevent the proliferation of weapons of mass destruction. As a country that has experienced and suffered from three decades of ruthless terrorism, and as a nation that has successfully eliminated terrorism from its soil, Sri Lanka fully understands the danger of weapons of mass destruction falling into the hands of non-State actors. Sri Lanka continues to take measures, with the participation of all stakeholders concerned, to implement the resolution.

Since the last report was submitted to the Committee, Sri Lanka has taken the following concrete measures to ensure full implementation of the resolution through domestic legislation and policies:

(a) Sri Lanka ratified the Chemical Weapons Convention in August 1994 and committed itself to measures required to implement the Convention by adopting domestic legislation for the application of the Convention. Sri Lanka enacted the Chemical Weapons Convention Act, No. 58 of 2007, which established the National Authority for the Implementation of the Chemical Weapons Convention under the Ministry of Industry and Commerce. Under the Act, it is an offence to manufacture, use or trade certain toxic chemicals listed in the Convention without the approval of the National Authority. The National Authority serves as the national focal point for effective liaison with the Organization for the Prohibition of Chemical Weapons (OPCW) and other States parties and is responsible for, inter alia, collecting import and export data on scheduled chemicals, inspecting the facilities used for such chemicals and detailing the modalities of registration of persons engaged in the production, processing and transfer of toxic chemicals or their precursors. Furthermore, computer software developed by the National Authority containing data on scheduled chemicals has been made available to customs, the Controller of Imports and to importers and users.

In August 2008, Sri Lanka hosted a regional meeting of representatives of national authorities and parliaments in Asia on the Chemical Weapons Convention. The meeting focused on issues related to the adoption of national legislation to implement the Convention, including the rights and obligations of States parties under the Convention and the legal basis for the control of toxic chemicals and combating illicit trafficking. The meeting was attended by 65 participants, including 26 parliamentarians and 15 national authority representatives from 20 States parties. The Tenth Regional Meeting of National Authorities of States Parties in Asia was held in Colombo in 2012, with the participation of over 50 countries in the Asia-Pacific region. In December 2014, Sri Lanka also hosted a workshop on chemical security and safety for sustainable industrial development for States members of the

South Asian Association for Regional Cooperation. The National Authority regularly conducts awareness programmes and training for chemical industry representatives on the safe and secure use of hazardous and toxic chemicals. The National Authority has also taken measures to incorporate information on chemical weapons and dual-use commodities into the State university curriculum and into diplomas and certificate courses conducted by various government institutes;

(b) Sri Lanka became a party to the Biological Weapons Convention in 1986. Import and export control legislation in force in Sri Lanka on the use of biological and chemical products includes the Import and Export (Control) Act, No. 01 of 1969, which established the Department of Import and Export Control, the Control of Pesticides Act, No. 33 of 1980, and the National Environment Acts, No. 47 of 1980 and No. 56 of 1988. The other relevant amendments made to import and export control legislation include the amendment made to section 03 of the Customs Ordinance in 2007 to empower the Director-General of Customs to seize, forfeit and destroy any goods which are prohibited, restricted and deemed to be contraband, including material concerning weapons of mass destruction;

(c) The Atomic Energy Agency (reconstituted as the Atomic Energy Board pursuant to the Sri Lanka Atomic Energy Act, No. 40 of 2014), established pursuant to Act No. 19 of 1969, is the main institution in Sri Lanka responsible for matters related to nuclear security. With a view to keep pace with advancing technology and emerging trends in the nuclear field, the Government is focusing more on civil applications of nuclear energy in the areas of food and agriculture, human health, industry, radiation safety, environmental protection and development of a nuclear power planning programme. In this context, the Ten-Year Horizon Development Programme is of particular relevance. One of the important objectives of this programme is to develop nuclear science and technology, including nuclear applications, as well as to conform to international standards for nuclear safety and security, including in the areas of emergency response, radioactive waste management and the security of radioactive sources;

(d) Sri Lanka is also in the process of improving and upgrading the existing legal framework to address current national and international legal requirements. In July 2000, Sri Lanka also gazetted the Regulations on Ionizing Radiation Protection of the Atomic Energy Safety Regulations, No. 1 of 1999. This superseded regulations established in 1975. The revised regulations give the Atomic Energy Board the legal authority needed to implement a radiation protection programme to prepare and implement codes of practice and related procedures for radiation protection that satisfies the requirements of the International Basic Safety Standards of the International Atomic Energy Agency;

(e) Sri Lanka, together with over 70 partner States, is a participant in the Proliferation Security Initiative, launched by the Department of State of the United States of America to counter the trafficking and proliferation of weapons of mass destruction and their delivery systems;

(f) Furthermore, the Port of Colombo has also operationalized the Container Security Initiative, a programme that allows officials from United States Customs and Border Protection to examine high-risk maritime cargo at foreign seaports before they are loaded on to vessels destined for the United States. The modernized Port of Colombo is the first port in the region to introduce the "mega-port" concept, under which all outbound and inbound containers are checked to prevent weapons

of mass destruction and radioactive items from being smuggled into and out of Sri Lanka. These initiatives address obligations under paragraphs 3 (c) and 10 of resolution 1540 (2004). In 2013, based on information received, action was taken to suspend the export of a consignment of zircon sand from Sri Lanka in order to ensure that such material would not be used for development of weapons prohibited by Security Council resolutions. This demonstrates the practical measures that have been taken by Sri Lanka to ensure compliance with resolution 1540 (2004);

(g) Sri Lanka is a State party to 12 international conventions aimed at preventing the spread of terrorism and has promulgated the following domestic legislation to give effect to those international instruments:

Convention on Suppression of Terrorism Financing Act, No. 25 of 2005

Prevention of Money Laundering Act, No. 05 of 2006

Financial Transactions Reporting Act, No. 06 of 2006

The Convention on Suppression of Terrorism Financing Act was amended by way of an amendment, Act No. 03 of 2013, in order to adhere to the recommendations of the Financial Action Task Force.

The Government also gazetted the regulations pertaining to Security Council resolutions 1373 (2001) and 1267 (1999) in Extraordinary Gazettes No. 1758/19, dated 5 May 2012, and No. 1760/40, dated 31 May 2012, respectively. Amendments to the said regulations were gazetted in Extraordinary Gazette No. 1892/37, dated 11 December 2014. Furthermore, pursuant to recommendation No. 7 of the Financial Action Task Force, Sri Lanka has taken a policy decision to implement targeted financial sanctions relating to the financing and proliferation of weapons of mass destruction. The first stakeholder meeting in this regard was held on 20 November 2014. Sri Lanka will be implementing the relevant Security Council resolutions relating to financing and proliferation of weapons of mass destruction by way of regulations under the United Nations Act, No. 45 of 1968.

As a member of the Asia Pacific Group on Money Laundering, with strengthened anti-money laundering laws in place, and a financial intelligence unit under the Central Bank established pursuant to the provisions of the Financial Transactions Reporting Act, No. 06 of 2006, Sri Lanka was among the first countries in the Group to undertake a mutual evaluation in December 2014.

Finally, it must be reiterated that Sri Lanka does not produce, possess or import weapons of mass destruction or any delivery system to carry such weapons. Sri Lanka also does not, by any means, facilitate or provide to non-State actors or States any nuclear, biological or chemical material for the production of such weapons or delivery systems.

Sri Lanka will continue to address obligations under resolution 1540 (2004) with serious commitment and in close collaboration with relevant international institutions to achieve the intended purposes of the resolution through increased international cooperation and partnership.